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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No.: 22338-1205

Avi J. ASHENAZI

Application No.: 10/081,280

Group Art Unit: 1644

Filed: February 21, 2002

For: APO-2LI AND APO-3 POLYPEPTIDES

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Hon. Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Patent Application  
Crystal City Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

This application is a Continuation of United States Application Number 08/829,270, filed March 31, 1997, now abandoned: which claims the benefit of the filing date of provisional application number 60/026,943, filed September 23, 1996, now lapsed; and provisional application number 60/014,699, filed April 1, 1996, now lapsed.

This application also contains subject matter that may be related to the following commonly-owned applications:

**INFORMATION DISCLOSURE STATEMENT**

U.S. Application No. 10/081,280

Docket No. 22338-01205

1. United States Application No. 10/112,193, filed March 28, 2002, now pending (corresponding to a published application number U.S. 2003/0004313 A1, January 2, 2003); which is a Continuation of United States Application Number 08/928,069, filed September 11, 1997, now United States Patent Number 6,462,176; which claims priority to provisional application number 60/026,943, described above.

2. United States Serial Number 10/112,793, filed March 28, 2002, now pending (corresponding to Published Application Number US 20020192729 A1, December 19, 2002); which is a Continuation of United States Serial Number 08/828,683, filed March 31, 1997, now United States Patent Number 6,469,144; which is a Continuation-In-Part of United States Serial Number 08/710,802, filed September 23, 1996, now abandoned; and is a Continuation-In-Part of United States Serial Number 08/625,328, filed April 1, 1996, now abandoned.

3. United States Serial Number 09/993,234, filed November 19, 2001, now pending (corresponding to Published Application Number US 20020146768 A1, October 10, 2002); which is a Divisional of United States Serial Number 08/828,683, described above.

4. United States Serial Number 09/884,733, filed June 19, 2001, now abandoned; which is a Continuation of United States Serial Number 09/304,003, filed April 30, 1999, now abandoned; which is a Continuation of United States Serial Number 08/800,699, filed February 14, 1997, now abandoned; which is a Divisional of United States Serial Number 08/625,328, described above.

One (1) copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R. § 1.97(e)) after the three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or

## **INFORMATION DISCLOSURE STATEMENT**

U.S. Application No. 10/081,280

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an action that otherwise closes prosecution in the application (whichever is earlier), and therefore the USPTO is directed and authorized to charge the government filing fee of \$180.00 under 37 C.F.R. § 1.117(p) to Deposit Account No. 18-1260. Please also credit any overpayments to said Deposit Account.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the document has been considered.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,



David L. Devernoe  
Registration No. 50,128

Date: April 11, 2005

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<b>INFORMATION DISCLOSURE STATEMENT</b>	Docket No. 22338-01205	Application No. 10/081,280
	Applicant(s): Avi J. ASHENAZI	Examiner: Hope A. Robinson
	Filing Date: February 21, 2002	Group Art Unit: 1653

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION

**OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)**

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**EXAMINER**

## **DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609;  
Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Form PTO-A820 (also form PTO-1449)**

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